

MESSAGE NO: 0091201

MESSAGE DATE: 03/31/2000

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: ADM

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-504

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 10/28/1996 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: SCOPE RULING ON ANTIDUMPING DUTY ORDER ON PETROLEUM WAX CANDLES
FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504)

MESSAGE NO: 0091201

DATE: 03 31 2000

CATEGORY: ADA

TYPE: ADM

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 504

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PERIOD COVERED: 10 28 1996 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

RE: SCOPE RULING ON ANTIDUMPING DUTY ORDER ON PETROLEUM WAX
CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504)

1. ON 10/28/1996, IN RESPONSE TO A REQUEST BY RUSS BERRIE COMPANY, INC., THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT WAX-FILLED TERRACOTTA HEART SHAPE CANDLES IMPORTED BY RUSS BERRIE COMPANY, INC., ARE WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504).

2. BECAUSE THE CANDLE TYPE IN QUESTION MEETS THE DESCRIPTION IN THE ORDER OF VARIOUS WAX-FILLED CONTAINERS, THE DEPARTMENT

FOUND THIS PRODUCT TO BE WITHIN THE SCOPE OF THE ORDER.
FURTHERMORE, BECAUSE THIS CANDLE DOES NOT FALL WITHIN THE
EXCEPTION FOR HOLIDAY CANDLES, THE DEPARTMENT FOUND THIS
PRODUCT TO BE WITHIN THE SCOPE OF THE ORDER.

3. ON 12/11/1996, THE DEPARTMENT'S FINAL SCOPE RULING WAS
CHALLENGED BY RUSS BERRIE COMPANY, INC., IN THE U.S. COURT OF
INTERNATIONAL TRADE (CIT). ON 07/13/1999, THE CIT ISSUED A
DECISION AFFIRMING THE DEPARTMENT'S RULING. THE COURT'S
DECISION WAS NOT APPEALED, AND THUS, CONSTITUTES A FINAL AND
CONCLUSIVE RULING.

4. ACCORDINGLY, LIQUIDATE ALL ENTRIES OF PETROLEUM WAX CANDLES
FROM THE PEOPLE'S REPUBLIC OF CHINA PRIOR TO 08/01/1998,
INCLUDING THE WAX-FILLED TERRACOTTA HEART SHAPED CANDLES
IMPORTED BY RUSS BERRIE COMPANY, INC., SUBJECT TO THE
ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM
THE PEOPLE'S REPUBLIC OF CHINA (A-570-504), AT THE CASH
DEPOSIT OR BONDING RATE REQUIRED AT THE TIME OF ENTRY.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS
OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE
SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING
THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED
PARTIES SHOULD CONTACT JACK DULBERGER AT 202-482-5505, OF THE
OFFICE OF ANTIDUMPING/COUNTERVAILING DUTY ENFORCEMENT, GROUP II,
OFFICE 4, IMPORT ADMINISTRATION, INTERNATIONAL TRADE
ADMINISTRATION, DEPARTMENT OF COMMERCE.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party